

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ROBERT LOWINGER, Individually and On
Behalf of All others Similarly Situated,

Plaintiff,

vs.

RECKSON ASSOCIATES REALTY CORP.,
SL GREEN REALTY CORP., MARATHON
ASSET MANAGEMENT, LLC, NEW
VENTURE MRE LLC, JASON BARNETT,
SCOTT H. RECHLER, MICHAEL MATURO,
DOUGLAS CROCKER II, ELIZABETH
MCCAUL, RONALD H. MENAKER, PETER
QUICK, LEWIS S. RANIERI, JOHN F.
RUFFLE, and STANLEY STEINBERG,

Defendants.

Case No. 06-CV-5873

NOTICE OF VOLUNTARY DISMISSAL

PLEASE TAKE NOTICE that, pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure, Plaintiff Robert Lowinger hereby voluntarily dismisses the above-captioned action. Voluntary dismissal is permitted as none of the adverse parties have yet either filed an answer or a motion for summary judgment in this action.

DATED: November 10, 2006

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Attorneys for Plaintiff

* * *

ORDER

Pursuant to Federal Rules of Civil Procedure 41(a)(1), the claims of plaintiff Robert Lowinger in this action are dismissed without prejudice.

IT IS SO ORDERED.

DATED: 11/13/06

THE HONORABLE JOSEPH F. BIANCO
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on November 10, 2006, I electronically filed the foregoing **Notice of Voluntary Dismissal** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper *via* the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

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Manual Notice List

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